REMARKS

Claims 1-4, 6 and 8 are pending. Claims 5 and 7 are cancelled. Claims 1-4, 6 and 8 have been amended to make the claim language consistent.

Claims 1-4, 6 and 8 have been rejected under 35 U.S.C. 103 as being unpatentable over Kinemura in view of Cheng et al.

Claims 1 and 8 has been amended to further define the claimed invention over the references.

In particular, claim 1, as amended, recites a communication assisting apparatus for mediating data transfer between a first data processing apparatus and a second data processing apparatus, comprising:

-a first connection unit connected by wire with said first data processing apparatus, said first connection unit receiving data from said first data processing apparatus;

-a nonvolatile memory for storing therein the data received by said first connection unit; and

-a second connection unit connected by wireless with said second data processing apparatus, said second connection unit transmitting the data read out from said nonvolatile memory to said second data processing apparatus without permission for data reading from the first data processing apparatus.

The claim specifies that the second connection unit starts sending data stored in said nonvolatile memory after said first connection unit completes receiving the data and storing the data into said nonvolatile memory in response to receiving a data transfer request from said second data processing apparatus.

Independent claim 8, as amended, recites a storage apparatus coupled with a first data processing apparatus by wired communication and with a second data processing apparatus by wireless communication, comprising:

-a processing unit;

-a first communication interface for the wired communication;

-a second communication interface for the wireless communication; and

-a nonvolatile storage for storing data.

The claim specifies that:

-the processing unit receives data from the first data processing apparatus by the wired communication, stores the data received from the first communication interface to the nonvolatile storage, and

-after storing the data, the processing unit is capable of sending the data stored in the nonvolatile storage to the second data processing apparatus and without permission from the first data processing apparatus regarding sending data stored in the nonvolatile storage in response to receiving a data transfer request from the second data processing apparatus.

It is noted that the claims have been amended to stress that after storing the data, the communication assisting apparatus is capable of transferring data stored in the nonvolatile memory to the second data processing apparatus by the wireless connection without permission of the first data processing apparatus regarding the data transfer in response to receiving a data transfer request from the second data processing apparatus.

It is noted that these features are described, for example, in the second paragraph of page 12 of the specification, and the data transfer request is shown in FIG. 3 of the drawings.

As demonstrated below, the combined teachings of the references do not teach or suggest the claimed inventions.

In particular, Kinemura discloses a cable modem having a wireless connection to a PC and a wired connection to a TV set.

Buffer 5 stores information temporarily (col. 3, lines 52-53) for transmitting data from the CATV network to the PC.

The Examiner considers buffer 5 of Kinemura to correspond to the claimed memory. As the Examiner admits, the reference does not disclose that buffer 5 is a nonvolatile memory, as independent claims 1 and 8 require.

Chang et al is relied upon for disclosing a nonvolatile memory.

It is noted that Kinemura does not disclose that the cable modem transfers data received from the CATV network to the personal computers L1/L2 in response to a data transfer request from the personal computers. Instead, Kinemura discloses that the cable modem transfers the TV data received from the CATV network to the personal computers by the wireless network for watching TV on the personal computers, not for recording or storing TV data into the buffer, and watching the TV data after storing the TV data.

Therefore, Kinemura does not teach or suggest that:

the second connection unit starts sending data stored in said nonvolatile memory after said first connection unit completes receiving the data and storing the data into said nonvolatile memory in response to receiving a data transfer request from said second data processing apparatus, as claim 1 requires, or

after storing the data, the processing unit is capable of sending the data stored in the nonvolatile storage to the second data processing apparatus and without permission from the first

data processing apparatus regarding sending data stored in the nonvolatile storage in response to receiving a data transfer request from the second data processing apparatus, as independent claim 8 recites.

Moreover, Cheng et al. also does not teach or suggest these claimed features.

Even assuming *arguendo* that Kinemura were modified to replace its buffer with the nonvolatile memory of Cheng et al., the claimed invention would not result because the nonvolatile memory would also be used for temporarily data storing, and the cable modem would not need any data transfer request to transfer data to the personal computers.

It is well settled that the test for obviousness is what the combined teachings of the references would have suggested to those having ordinary skill in the art. ***Cable Electric Products, Inc. v. Genmark, Inc.***, 770 F.2d 1015, 226 USPQ 881 (Fed. Cir. 1985). In determining whether a case of prima facie obviousness exists, it is necessary to ascertain whether the prior art teachings appear to be sufficient to one of ordinary skill in the art to suggest making the claimed substitution or other modification. ***In re Lalu***, 747 F.2d 703, 705, 223 USPQ 1257, 1258 (Fed. Cir. 1984).

As demonstrated above, the combined teachings of Kinemura with Cheng et al. are not sufficient to arrive at the inventions recited in the independent claims 1 and 8.

Therefore, these claims are clearly defined over the prior art within the meaning of 35 U.S.C. 103.

Dependent claims 2-4 and 6 are defined over the prior art at least for the reasons presented above in connection with claim 1.

In view of the foregoing, and in summary, claims 1-4, 6 and 8 are considered to be in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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